

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

William Francis McCulloch

Serial No: Not assigned

Filed: September 27, 2006

For: Railway Rail Handling Apparatus and Method

Art Unit: Not assigned

Examiner: Not assigned

CERTIFICATE OF ELECTRONIC TRANSMISSION

Date of Transmission: September 27, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that

- a copy of a letter of transmittal
- a copy of an Application Data Sheet
- authorization to charge Deposit Account in amount of \$ 1540.00 as filing fee, search fee and examination fee
- patent application (18 page(s) of specification; 49 claim(s); 1 page(s) of abstract
- 5 sheet(s) of formal drawings
- Preliminary Amendment
- Information Disclosure Statement with 5 references

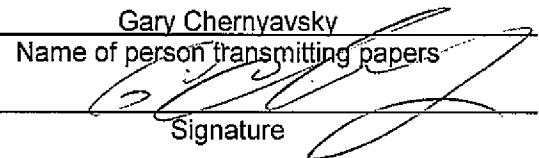
are being transmitted via electronic filing on the date indicated above to the:  
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Date: September 27, 2006

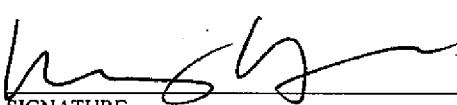
Hogan & Hartson, LLP  
1999 Avenue of the Stars, Suite 1400  
Los Angeles, California 90067  
Telephone: 310-785-4600  
Facsimile: 310-785-4601

Gary Chernyavsky

Name of person transmitting papers

  
Signature

|  |  |   |  |  |
|--|--|---|--|--|
| FORM PTO-1390<br>(REV 1-98)  |  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE |  | ATTORNEY'S DOCKET NUMBER<br>89334.0001                                   |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. 371</b>  |  |   |  | U.S. APPLICATION NUMBER<br>(if known, see 37 C.F.R. 1.5)<br>Not assigned |
| INTERNATIONAL APPLICATION NO.<br>PCT/GB2005/001164   | INTERNATIONAL FILING DATE<br>24 March 2005 | PRIORITY DATE CLAIMED<br>27 March 2004                  |  |  |
| TITLE OF INVENTION<br>Railway Rail Handling Apparatus and Method   |  |   |  |  |
| APPLICANT(S) FOR DO/EO/US<br>William Francis McCullach   |  |   |  |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |   |  |  |
| <p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> |  |   |  |  |
| <b>Items 11. to 16. below concern document(s) or information included:</b>   |  |   |  |  |
| <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.           <ul style="list-style-type: none"> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> </ul> </p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information:<br/>Application Data Sheet</p>  |  |   |  |  |

|  |   |  |              |                      |         |
|--|---|--|--------------|----------------------|---------|
| U.S. APPLICATION NO.<br>(if known, see 37 C.F.R. 1.5)<br>Not assigned  | INTERNATIONAL,<br>APPLICATION NUMBER<br>PCT/GB2005/001164 | ATTORNEY'S<br>DOCKET NUMBER<br>89334.0001                                |              |                      |         |
| 17. <input checked="" type="checkbox"/> The following fees are submitted:  |   | CALCULATIONS PTO USE ONLY  |              |                      |         |
| <b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5)):</b>   |   |  |              |                      |         |
| Basic National Fee ..... \$300   |   |  |              |                      |         |
| National Stage Search Fee ..... \$400  |   |  |              |                      |         |
| National Stage Examination Fee ..... \$200   |   |  |              |                      |         |
| <b>TOTAL FEE AMOUNT =</b>  |   | <b>\$ 900.00</b>   |              |                      |         |
| Surcharge of \$130.00 for furnishing the oath or declaration later than<br>months from the earliest claimed priority date (37 C.F.R. 1.492(e)).  |   | <input type="checkbox"/> 20 <input type="checkbox"/> 30 <b>\$ 130.00</b> |              |                      |         |
| CLAIMS   | NUMBER FILED  | NUMBER ALLOWED   | NUMBER EXTRA | RATE                 |         |
| Total claims   | 49  | 20   | 29           | X \$50.00            | 1450.00 |
| Independent claims   | 6   | 3  | 3            | X \$200.00           | 600.00  |
| <b>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</b>   |   |  |              | X \$360.00           | 0       |
| SIZE FEE <u>33</u> (TOTAL PAGES OF SPEC AND DRAWINGS<br>TOGETHER)  |   | \$250 for each<br>additional 50<br>sheets                                |              | X \$250.00           | 0       |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |   | <b>3080.00</b>   |              |                      |         |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. § 1.27. The fees indicated above are<br>reduced by 1/2.  |   | <b>1540.00</b>   |              |                      |         |
| <b>SUBTOTAL =</b>  |   | <b>1540.00</b>   |              |                      |         |
| Processing fee of \$130.00 for furnishing the English translation later than<br>30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).  |   | <input type="checkbox"/> 20 <input type="checkbox"/> 30<br>+             |              | \$ 0                 |         |
| <b>TOTAL NATIONAL FEE =</b>  |   | <b>1540.00</b>   |              |                      |         |
| Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be<br>accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property +  |   |  |              | \$                   |         |
| <b>TOTAL FEES ENCLOSED =</b>   |   | <b>1540.00</b>   |              |                      |         |
| \$   |   |  |              | <b>Amt. Refunded</b> | \$      |
|  |   |  |              | <b>Amt. charged</b>  |         |
| <p>a. <input type="checkbox"/> Checks in the amounts of <u>\$</u> and <u>  </u> to cover the above fees are enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 50-1314 in the amount of <u>1540.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1314. A duplicate copy of this sheet is enclosed.</p> |   |  |              |                      |         |
| NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.  |   |  |              |                      |         |
| SEND ALL CORRESPONDENCE TO:  |   |  |              |                      |         |
| <input checked="" type="checkbox"/> Customer Number <b>000026021</b> →   |   |  |              |                      |         |
| HOGAN & HARTSON L.L.P.<br>1999 Avenue of the Stars, Suite 1400<br>Los Angeles, California 90067<br>Phone: 310-785-4600<br>Fax: 310-785-4601  |   |  |              |                      |         |
| SIGNATURE<br>Wei-ning Yang<br>REG.NO. 38,690<br>Date: September 27, 2006   |   |  |              |                      |         |

Transmittal Letter to the United States Designated Office (DO/US)—Entry Into National Stage under 35 U.S.C. 371—PTO 1390 [13-7]